

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JESUS CHAVEZ,

4 Plaintiff

Case No. 2:19-cv-00975-APG-NJK

ORDER

5 v.

6 NEVADA DEPARTMENT OF
7 CORRECTIONS, et. al.,

8 Defendants
9

10 Plaintiff Jesus Chavez is a prisoner in the custody of the Nevada Department of Corrections
11 (“NDOC”). He has filed a motion for a preliminary injunction. ECF No. 1-1. Chavez has not filed
12 a complaint or an application to proceed *in forma pauperis*.

13 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a
14 complaint with the court.” Fed. R. Civ. P. 3. Therefore, I grant Chavez 30 days from the date of
15 this order to submit a complaint.

16 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, if a plaintiff has not paid the filing
17 fee, the plaintiff must complete an application to proceed *in forma pauperis* and attach both an
18 inmate account statement for the past six months and a properly executed financial certificate.
19 Chavez is granted an opportunity to file an application to proceed *in forma pauperis*, or in the
20 alternative, pay the full filing fee for this action. If he chooses to file an application to proceed *in*
21 *forma pauperis*, he must file a fully complete application to proceed *in forma pauperis*, including
22 both an inmate account statement for the past six months and a properly executed financial
23 certificate.

IT IS ORDERED that the Clerk of the Court WILL SEND plaintiff Jesus Chavez the
approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within 30 days from the date of this order, Chavez must
either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with

1 complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400
2 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

3 IT IS FURTHER ORDERED that Chavez must submit a complaint to this Court within 30
4 days from the date of this order.

5 IT IS FURTHER ORDERED that the Clerk of the Court will send to Chavez the approved
6 form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

7 IT IS FURTHER ORDERED that if Chavez does not timely comply with this order,
8 dismissal of this action may result.

9 DATED THIS 8th day of July, 2019.

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12 UNITED STATES DISTRICT JUDGE
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